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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

MATTHEW R. LINDNER, et al.,

Plaintiffs,

vs.

FORD MOTOR COMPANY, et al.,

Defendants.

Case No. : 2-10-CV-0051-LDG-LRL

**STIPULATION AND ORDER
RENDERING MOOT NON-PARTY
RANDOLPH KISER'S MOTION TO
QUASH SUBPOENA (Dkt. Entry 115)
AND MOTION FOR PROTECTIVE
ORDER (Dkt. Entry 117)**

Defendant Evenflo Company, Inc. and Plaintiff Matthew Lindner, by and through respective counsel of record, file this Joint Stipulation that will resolve and render moot two currently pending motions.

1. Plaintiff will not subpoena or attempt to require Randolph Kiser to appear in person at trial during Plaintiff's case. Plaintiff agrees through this document that its Subpoena to Randolph Kiser will be withdrawn and a copy of this Stipulation to counsel for Mr. Kiser shall be sufficient for withdrawal purposes. As a further result, neither a hearing nor additional briefing is necessary as to the Non-Party Randolph Kiser's Motion to Quash Subpoena Issued by Plaintiff. Dkt. Entry. 115. As such the Court need not consider this issue further.

2. Plaintiff agrees not call Bill Gross, Esq. General Counsel for Defendant Evenflo, Inc. to appear or testify at trial. As a result, Defendant's Motion for Protective Order to Bar



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Plaintiff from Calling Evenflo General Counsel to Testify at Trial (Dkt. Entry No. 117) will not be opposed and may be rendered moot. As such, the Court need not consider this issue further.

THE PARTIES SO STIPULATE:

DATED: July 1, 2015

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CASE NO.: 2:10-cv-00051-LDG-VCF

IT IS SO ORDERED:

UNITED STATES DISTRICT JUDGE or
UNITED STATES MAGISTRATE JUDGE

DATED this ____ day of _____, 2015.

WEINBERG WHEELER
HUDGINS GUNN & DIAL

